

**IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT**

United States Court of Appeals
Fifth Circuit

FILED

September 15, 2011

No. 11-50472
Summary Calendar

Lyle W. Cayce
Clerk

EDWARD DESHAN SMITH

Plaintiff – Appellant

v.

ANNA KLEINSCHMIDT, Pharmacist; JOHN PRITT, Pharmacist;
ELIZABETH MCEWEN, Pharmacy Technician; BROOKSHIRE BROTHERS,

Defendants – Appellees

Appeal from the United States District Court
for the Western District of Texas
USDC No. 11-CV-139

Before KING, SMITH, and GRAVES, Circuit Judges.

PER CURIAM:*

The judgment of the district court dismissing with prejudice the claims of plaintiff–appellant against defendants–appellees Anna Kleinschmidt, John Pritt, Elizabeth McEwen, and Brookshire Brothers is affirmed for the reason stated in the district court’s May 16, 2011 Order and Memorandum Opinion.

AFFIRMED.

* Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.